

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 15-1111 (L)
No. 15-1186

PAC TELL GROUP, INC. d/b/a U.S. FIBERS,

Petitioner/Cross-Respondent,

v.

NATIONAL LABOR RELATIONS BOARD,

Respondents/Cross-Petitioner,

**ANSWER TO CROSS-APPLICATION FOR ENFORCEMENT
BY PAC TELL GROUP, INC. D/B/A U.S. FIBERS**

On January 30, 2015, Petitioner/Cross-Respondent Pac Tell Group, Inc. d/b/a U.S. Fibers (“U.S. Fibers”) filed a Petition for Review of the Decision and Order of the National Labor Relations Board (“the Board”) entered on January 29, 2015 (“Order”). On February 23, 2015, the Board filed a Cross-Application for Enforcement of its Order. U.S. Fibers hereby answers the Board’s Cross-Application for Enforcement as follows:

1. U.S. Fibers admits that the Court has jurisdiction over the Petition for Review and Cross-Application for Enforcement pursuant to 29 U.S.C. § 160(f) and

(e), respectively, because the unfair labor practices alleged to have been engaged in occurred in this circuit, and because U.S. Fibers transacts business in this circuit.

2. U.S. Fibers admits that venue is proper.

3. U.S. Fibers denies that the Board is entitled to enforcement of its Order because the Board's findings of fact are not supported by substantial evidence, and its legal conclusions are not rationale and consistent with the Act.

WHEREFORE, having fully answered, U.S. Fibers requests that the Court deny the Cross-Application for Enforcement.

Respectfully submitted,

FISHER & PHILLIPS LLP

/s/Jonathan P. Pearson

Michael D. Carrouth, Esq.

Jonathan P. Pearson, Esq.

Reyburn W. Lominack, III, Esq.

1320 Main Street, Suite 750

Columbia, South Carolina 29201

Telephone: 803.255.0000

Facsimile: 803.255.0202

mcarrouth@laborlawyers.com

jpearson@laborlawyers.com

rlominack@laborlawyers.com

ATTORNEYS FOR PETITIONER/CROSS-
RESPONDENT PAC TELL GROUP, INC.,
d/b/a/ U.S. FIBERS

Dated this 26th day of February, 2015